

Rules of
Department of Social Services
Division 40—Division of Family Services
Chapter 38—Adoption

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Title 13—DEPARTMENT OF SOCIAL SERVICES

Division 40—Division of Family Services Chapter 38—Adoption

13 CSR 40-38.010 Definition of Adoption Services

PURPOSE: This rule defines adoption services.

(1) Adoption services are defined as assessment and evaluation of the child and his/her needs; arrangements for care of the child prior to adoptive placement; placement of the child with an approved adoptive family; placement support activities until the adoption is legally completed; pre- and post-adoptive counseling to natural and adoptive parents regarding adoption; legal service associated with freeing a child for adoption; recruitment, assessment approval and selection of appropriate adoptive family resources; medical, dental, psychiatric or psychological services for the child as needed; subsidized adoption; ADOPTLINE; administration of the Adoption Exchange of Missouri; and cooperation with other state, regional and national adoption exchange or photo-listing services for the purpose of assuring permanent care of children.

AUTHORITY: section 207.020, RSMo 1986. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed June 28, 1983, effective Nov. 11, 1983.*

**Original authority: 207.020, RSMo 1945, amended 1961, 1965, 1977, 1981, 1982.*

13 CSR 40-38.020 Provision of Services

PURPOSE: This rule sets criteria for provision of adoption services.

(1) The Division of Family Services, in administering the Adoption Exchange of Missouri, shall accept registration of families having an approved adoptive family assessment completed by the division, or other licensed child-placing agencies; registration of children designated as available for adoptive placement; and will cooperate with other state, regional and national exchanges in the registration of children with special needs.

(2) The Division of Family Services shall provide subsidized adoption services to children who are considered to have special needs and who have no other financial resources or limited financial resources.

(3) A child to be determined as previously unadoptable and eligible for subsidized adoption services shall meet one (1) or more of the following conditions:

(A) Physical Handicap. Any physical abnormality or condition, whether congenital or not, which requires or is likely to require treatment or the purchase of special equipment or services;

(B) Intellectual Impairment Mental development below an IQ of eighty (80) or other intellectual dysfunctioning as documented by psychological testing;

(C) Racial or Ethnic Minority. The child's ancestry is not Caucasian; and

(D) Other Conditions.

1. Age. The child is five (5) years old or older and has not reached the age of eighteen (18) years or twenty-one (21) years if the child's condition requires extraordinary treatment or rehabilitative services.

2. Member of a sibling group. Two (2) or more children who are siblings and are being placed with the same family.

3. Developmental disability. Any documented physical or mental condition not otherwise listed which prevents the child from functioning at the normal level for his/her age.

4. A Mental or emotional disturbance. A diagnosed and documented condition which impairs the child's mental functioning, including learning dysfunctions.

5. Social maladjustment. A severe behavioral condition or inadequate social development which interferes with the child's ability to form satisfactory relationships with others.

(4) A family to be eligible for subsidy shall be approved for adoptive placement by the Missouri Division of Family Services, a licensed or approved child placing agency; or for a family residing outside Missouri, a governmental child placing agency or a licensed or approved child placing agency in that state; and shall cooperate in providing financial and resource information for the division to reach an agreement with the family regarding the amount of, length or time of and the services for which the division will make a subsidy payment; and shall sign an agreement specifying the terms of the adoption subsidy.

AUTHORITY: section 207.020, RSMo 1986. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Aug. 18, 1977, effective Dec. 11, 1977. Emergency amendment filed Oct. 2, 1981, effective Oct. 12, 1981, expired Jan. 13, 1982. Amended: Filed Oct. 2, 1981, effective Jan. 14, 1982. Amended: Filed Jan. 10, 1983, effective April*

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**Original authority: 207.020 RSMo 1945, amended 1961, 1965, 1977, 1981, 1982.*